
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No 5:23-cv-00306-JLS-SP

Date: October 13, 2023

Title: Naomi Estrada-Mendoza v. U.S. Dep’t of Veterans Affairs, et al.

Present: **HONORABLE JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

Gabby Garcia
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER DISMISSING CASE FOR
FAILURE TO PROSECUTE**

On September 25, 2023, the Court ordered Plaintiff to show cause why the Court should not dismiss this action for failure to prosecute (Doc. 10). On September 29, the Court received a response from Plaintiff (Doc. 12). Plaintiff explained that she has been actively litigating a “nearly identical” case before this Court and described the procedural history of the two cases. (Response at 3–4.) She now asks that this Court consolidate the two cases, or that Defendants be deemed “served” in this matter based on their service and appearance in the related matter, so that both cases can proceeding in parallel. (*Id.* at 5.)

This is not a proper response to the court’s Order to Show Cause, which asked Plaintiff to file either: 1) a proof of service of summons; 2) a notice of voluntary dismissal; or 3) a written response demonstrating good cause for the delay. Plaintiff’s Response does not establish that she had good cause for the delay in service. Nor can the Court deem the parties served or grant a one-sided request for consolidation. As a result, the action is DISMISSED WITH PREJUDICE due to lack of prosecution.

Initials of Preparer: gga